



PATENT

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

IN RE APPLICATION OF:

Allen, *et al.*

APPLICATION No.: 09/876,707

FILED: June 7, 2001

FOR: THERAPEUTIC LIPOSOME COMPOSITION  
AND METHOD OF PREPARATION

EXAMINER: Kishore

ART UNIT: 1615

CONF. No: 1073

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APR 11 2003

OFFICE OF PETITIONS

**Petition to Revive Unintentionally Abandoned  
Application under 37 C.F.R. § 1.137(b)**Assistant Commissioner for Patents  
Washington, D.C. 20231

Sir:

1. The applicant hereby petitions for revival of the above-identified application, which apparently became abandoned on October 24, 2002 for failure to file a response to the Office Action mailed April 24, 2002.
2. Reply Under 37 C.F.R. § 1.137(b)(1)

Enclosed herewith is a reply to the Office Action along with a Request for Continued Examination (RCE).

3. Fee Under 37 C.F.R. § 1.137(b)(2)

Please charge the fee of \$1300.00 under 37 C.F.R. § 1.17(m) to Deposit Account No. 01-1173.

4. Statement Under 37 C.F.R. § 1.137(b)(3)

The entire delay in filing the required reply from the due date for the reply until the filing of a grantable petition pursuant to 37 C.F.R. § 1.137(b) was unintentional.

5. Duration of Abandonment (1203 OG 86-87, Oct. 21, 1997)

- ☒ This petition is being filed within 3 months of the date on which the applicant was first notified of the abandonment by a Notice of Abandonment mailed March 26, 2003. Under current USPTO practice, further information regarding the abandonment is not required.

6. Terminal Disclaimer under 37 C.F.R. § 1.137(b)(4) and (c)


- ☒ Since this application was filed on or after June 8, 1995, no terminal disclaimer is required.
- ☐ Since this application was filed before June 8, 1995, a terminal disclaimer is enclosed dedicating to the public a terminal part of the term of any patent granted hereon, and of any patent granted on a continuing application hereof, equivalent to the period of abandonment of this application.

7. Additional Fees

- ☒ Please charge any underpayment in fees for timely consideration of this Petition to Deposit Account No. 01-1173.

Respectfully submitted,

Date: 08 APRIL 2003

  
Paul B. Simboli  
Registration No. 38,616

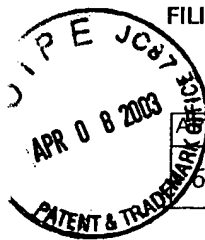
**Correspondence Address:**

Customer No. 22918  
Perkins Coie LLP  
P.O. Box 2168  
Menlo Park, California 94026  
(650) 838-4300

PROVISIONAL APPLICATION  
FILING RECEIPT



UNITED STATES DEPARTMENT OF COMMERCE  
Patent and Trademark Office  
ASSISTANT SECRETARY AND COMMISSIONER  
OF PATENTS AND TRADEMARKS  
Washington, D.C. 20231



APPLICATION NUMBER	FILING DATE	FIL FEE REC'D	ATTORNEY DOCKET NO.	DRWGS
60/028,269	10/11/96	\$150.00	5325-0148	11

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DEHLINGER AND ASSOCIATES  
P O BOX 60850  
PALO ALTO CA 94306

NOV 25 1996

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Receipt is acknowledged of this Provisional Application. This Provisional Application will not be examined for patentability. Be sure to provide the PROVISIONAL APPLICATION NUMBER, FILING DATE, NAME OF APPLICANT, and TITLE OF INVENTION when inquiring about this application. Fees transmitted by check or draft are subject to collection. Please verify the accuracy of the data presented on this receipt. If an error is noted on this Filing Receipt, please write to Box Provisional Application within 10 days of receipt. Please provide a copy of the Provisional Application Filing Receipt with the changes noted thereon. This Provisional Application will automatically be abandoned twelve (12) months after its filing date and will not be subject to revival to pending status beyond a date which is after twelve (12) months from its filing date.

Applicant(s) FRANCIS J. MARTIN, SAN FRANCISCO, CA; SAMUEL ZALIPSKY,  
REDWOOD CITY, CA; PAUL S. USTER, TRACEY, CA.

FOREIGN FILING LICENSE GRANTED 11/19/96  
TITLE  
FUSOGENIC LIPOSOME COMPOSITION

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